

REMARKS/AGRUMENTS

In response to the above identified Office Action, Applicant has amended the application and respectfully request reconsideration thereof.

Amended Claims

Claims 1, 11, 18 and 30 have been amended to clarify that a recommendation for a recommended item includes a first content type that is personalized for a first user and a second content type that is personalized for a second user. The above amendments are supported throughout the application. Further, Applicant believes the proffered amendments have placed the claims in condition for allowance.

Claim 10 has been amended to correct a misspelling.

Response to Claim Rejections – 35 USC § 102

Claims 1, 3-6, 8-15, 17-23 and 25-30 stand rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by U.S. Patent No. 6,029,195 (hereinafter Herz).

Applicant respectfully submits that claims 1, 3-6, 8-15, 17-23 and 25-30 should not be rejected under 35 U.S.C. § 102(e) for the reason that Herz does not disclose each and every limitation of the claim 1, as amended, of the present application.

To anticipate a claim, the reference must teach every element of the claim.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference."

Claim 1 includes the following limitations:

a first service point to retrieve a first content type from the content management system, the first content type being included in the recommendation that is associated with the recommended item, the recommendation being personalized for a plurality of users, and the first content type being personalized for a first user; and

a second service point to retrieve a second content type from the content management system, the second content type being included in the recommendation that is associated with the recommended item, the recommendation being personalized for the plurality of users, and the second content type being personalized for a second user.

The Office Action, in rejecting claim 1, contends that the above limitation is anticipated by the following disclosure in Herz:

Our combined method allows a given user to use either a single pseudonym in all transactions where he or she wishes to remain pseudonymous, or else different pseudonyms for different types of transactions. In the latter case, each service provider might transact with the user under a different pseudonym for the user. More generally, a coalition of service providers, all of whom match users with the same genre of target objects, might agree to transact with the user using a common pseudonym, so that the target profile interest summary associated with that pseudonym would be complete with respect to said genre of target objects.

Herz, Col. 39, lines 29-39.

The above quote from Herz describes the use of pseudonyms. "A pseudonym is an artifact that allows a service provider to communicate with users and build and

accumulate records of their preferences over time, while at the same time remaining ignorant of the users' true identities, so that users can keep their purchases or preferences private" (Col. 38, lines 25-29). A user may utilize a single pseudonym or different pseudonyms. The user may utilize different pseudonyms for different types of transactions (e.g., different genres of target objects). In addition, a user may utilize a single pseudonym to transact with a coalition of service providers. The coalition of service providers may agree to utilize a common pseudonym to complete a target profile interest summary. Definitions for the above underlined words appear below:

Relevant definitions of terms for the purpose of this description include: (a.) an object available for access by the user, which may be either physical or electronic in nature, is termed a "target object", (b.) a digitally represented profile indicating that target object's attributes is termed a "target profile", (c.) the user looking for the target object is termed a "user", (d.) a profile holding that user's attributes, including age/zip code/etc. is termed a "user profile", (e.) a summary of digital profiles of target objects that a user likes and/or dislikes, is termed the "target profile interest summary" of that user....(underlines added).

Herz, Col. 4, lines 48-55.

Claim 1 requires a recommendation that is associated with a recommended item that is personalized for a plurality of users, the recommendation including a first content type being personalized for a first user and a second content type being personalized for a second user. For example, a customer may request information regarding a sports car that is analyzed to produce a recommendation of a Ferrari that is personalized for the customer (e.g., includes preferred color, engine size, and

upholstery for the Ferrari). The recommendation further includes a first content type that is further personalized for the customer that includes marketing information (e.g., includes color photograph of the Ferrari) and a second content type that is further personalized for an agent that does not include marketing information but nevertheless includes information regarding the selected Ferrari (e.g., pricing, etc.).

In contrast, the above quote from Herz describes a pseudonym that is utilized by a single user to receive a “user-customized rank ordered listing of target objects” (Abstract). Indeed, the single user may utilize the same or different pseudonyms to hide their identity and receive a listing of target objects from one or more service providers; however, nowhere in the above quote does Herz describe a recommendation that is associated with an item that is personalized for a plurality of users, much less a first content type that is personalized for a first user and a second content type that is personalized for a second user. Herz therefore cannot be said to anticipate the above quoted limitation because Herz describes a pseudonym that is utilized by a single user to receive a “user-customized rank ordered listing of target objects” and claim 1 requires a recommendation that is associated with a recommended item that is personalized for a plurality of users, the single recommendation including a first content type that is personalized for a first user and a second content type that is personalized for a second user.

In summary, Herz does not disclose each and every limitation of claim 1, as required to support a rejection of this claim under 35 U.S.C. § 102(e).

Independent claims 11, 18, and 30 each include a limitation corresponding substantially to the above-discussed limitation of claim 1. Accordingly, Applicant requests that the above remarks and amendments contained herein also be considered when examining these other independent claims for allow ability.

As dependent claims are deemed to include all limitation of claims from which they depend, the rejection of claims 3-6, 8-10, 12-15, 17, 19-23 and 25-29 under 35 U.S.C. 102(e) is also addressed by the above remarks, and the amendments contained herein.

Response to Claim Rejections – 35 USC § 103

Claims 27 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Herz in view of U.S. Patent No. 6,055,567 (hereinafter Ganesan).

Applicant respectfully submits that claim 27 should not be rejected under 35 U.S.C. § 103 for the reason that prior art references when combined do not teach or suggest all of the claim limitations of the independent claims of the present application.

To establish a **prima facie** case of **obviousness**, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable

expectation of success must both be found in the prior art, and not based on applicant's disclosure.

Claim 27 depends on independent claim 18. As dependent claims are deemed to include all limitation of claims from which they depend, the rejection of claims 27 under 35 U.S.C. 103(a) is also addressed by the above remarks, and the amendments contained herein.

In summary, Herz in combination with Ganesan does not teach or suggest each and every limitation of claim 27 as required to support a rejection of the dependent claims of the present application under 35 U.S.C. § 103.

In summary, Applicant believes that all rejections presented in the Final Office Action has been fully addressed and withdrawal of these rejections is respectfully requested. Applicant is mindful that the proposed amendment cannot, as a matter of right, be entered. Nonetheless, Applicant believes that the proposed amendment requires only a cursory review by the Examiner to remove issues from appeal. Applicant furthermore believes that all claims are now in a condition for allowance, which is earnestly solicited.

If there are any additional charges, please charge Deposit Account No. 02-2666.

If a telephone interview would in any way expedite the prosecution of the present application, the Examiner is invited to contact Mark Vatuone at (408) 947-8200.

Respectfully submitted,

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